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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X BROOKLYN OFFICE

LOCAL 348 HEALTH & WELFARE FUND, by its
Trustees ANTHONY FAZIO, JOSE MERCED, MARTIN
GRINGER, and ISIDORE HANDLER;
LOCAL 348 PENSION FUND, by its Trustees, JOHN
FAZIO AND ISIDORE HANDLER, and
LOCAL 348-S, UNITED FOOD & COMMERCIAL
WORKERS UNION, AFL-CIO,

05-CV-3897 (ARR)(JMA)

NOT FOR
ELECTRONIC OR PRINT
PUBLICATION

Plaintiffs,

ORDER

-against-

MILMAR FOOD GROUP, LLC and MARTIN
HOFFMAN,

Defendants.

ROSS, United States District Judge:

I have received the Report and Recommendation on the instant case, dated March 24, 2006, from the Honorable Joan M. Azrack, U.S. Magistrate Judge. No objections have been filed. Having conducted a de novo review of the record, I hereby adopt the Amended Report and Recommendation as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

Accordingly, plaintiff's motion for default judgment is granted. The court orders that judgment be entered against the defendants, jointly and severally, in the amount of \$301,215.87. This total amount reflects \$216,960.00 in unpaid contributions, \$24,600.62 in interest, \$43,392.00 in liquidated damages, and \$16,263.25 in attorney's fees.

Plaintiff's request for injunctive relief is denied.

SO ORDERED.

Allyne R. Ross
United States District Judge

Dated: April 12, 2006
Brooklyn, New York

SERVICE LIST:

Plaintiffs' Attorney

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O'Connor & Mangan, P.C.
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Suite 610
New Rochelle, NY 10801

Defendants

Milmar Food Group, LLC
6½ Station Road, Building 1
Goshen, New York 10924

Martin Hoffman, President
Milmar Food Group, LLC
6½ Station Road, Building 1
Goshen, New York 10924

cc: Magistrate Judge Joan M. Azrack